Filed 05/21/2008 Page 1 of 3

Case 3:07-cv-04810-CRB Document 29

The parties to the above-entitled action jointly submit this Case Management Statement regarding progress and changes since the last case management conference.

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I. <u>ALTERNATIVE DISPUTE RESOLUTION</u>

On May 15, 2008, the parties mediated this case with court-appointed mediator
Alan R. Berkowitz and reached an agreement in principle to resolve the case. The parties
memorialized their agreement in a Memorandum of Understanding that the parties signed at the
close of the mediation session. The parties are in the process of working out the details of the

settlement and preparing a written consent decree and other related agreements.

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II. SCHEDULING

DATED: May 20, 2008

DATED: May 20, 2008

The parties are confident that they will finalize settlement paperwork in the near future, and respectfully request that the current case management conference be continued 45 days to permit them time to complete this process and file appropriate pleadings with the Court. (In the alternative, should the case management conference proceed as scheduled on May 30, 2008, the parties respectfully request to wait on setting a case schedule until a later date.)

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By: /S

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By: /S/
RAYMOND T. CHEUNG

Attorneys for Plaintiff

TPROPOSED! CASE MANAGEMENT ORDER

The Joint Case Management Conference Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order.

Case management conference set for Friday, July 25, 2008 at 8:30 a.m.

DATED: <u>May 20, 2008</u>

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